

FILED

1 SCOTT N. SCHOOLS (SCSBN 9990)
2 United States Attorney

E-FILING

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3 RICHARD W. WIEKING
4 CLERK
U.S. DISTRICT COURT
NO. DIST. OF CALIFORNIA

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA CR No. 07 00672 JW RS
12 Plaintiff,

13 v.

14 JOSE MANUEL RODRIGUEZ-RIVERA,
15 Defendant.

16 SAN JOSE VENUE

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18 INFORMATION

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20 The United States Attorney charges:

21 On or about May 29, 2005, the defendant,

22 JOSE MANUEL RODRIGUEZ-RIVERA,

23 an alien, previously having been arrested and deported from the United States on or about
24 July 2, 2002, February 23, 1979, October 26, 1977, October 15, 1976, May 28, 1976 and
25 June 30, 1975, was found in the Northern District of California, the Attorney General of
26 the United States and the Secretary for Homeland Security not having expressly
27 consented to a reapplication by the defendant for admission into the United States, in

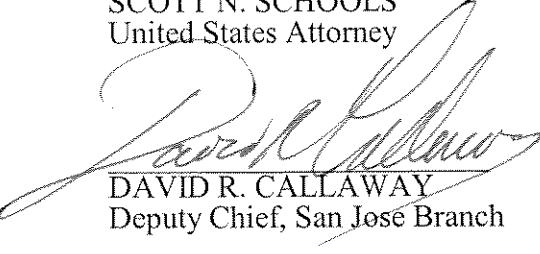
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INFORMATION

1 violation of Title 8, United States Code, § 1326.

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3 DATED: 10/23/2007

4 SCOTT N. SCHOOLS
5 United States Attorney

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7 DAVID R. CALLAWAY
Deputy Chief, San Jose Branch

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9 Approved as to form: Bryan Kennedy
10 SAUSA Benjamin Kennedy

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AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

FILED
Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

OFFENSE CHARGED

Title 8, U.S.C. § 1326 - Illegal
Re-Entry Following Deportation

Petty
 Minor
 Misdemeanor
 Felony

RICHARD W. WIEKING

10/24/07

U.S. DISTRICT COURT

NO. DIST. 07-CR-00672

DISTRICT COURT NUMBER

PENALTY:

20 years imprisonment
\$250,000 fine
3 years supervised release
\$100 special assessment fee

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)

ICE

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed
 which were dismissed on motion of:

U.S. Att'y Defense
 this prosecution relates to a pending case involving this same defendant
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

SCOTT N. SCHOOLS

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

BENJAMIN KENNEDY

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

PROCESS:

SUMMONS NO PROCESS*

WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

Date/Time: _____

Before Judge: _____

Comments: _____

CR 07 00672 JW
RS

DEFENDANT

IS NOT IN CUSTODY

1) Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons was served on above charges

2) Is a Fugitive

3) Is on Bail or Release from (show District)

IS IN CUSTODY

4) On this charge
5) On another conviction
6) Awaiting trial on other charges

} Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted